* BEFORE THE IN RE: PETITION FOR REGIDENTIAL ZONING VARIANCE * ZONING COMMISSIONER SW/S Hunters Ridge Rd., 500' SE of Oak Tree Court * OF BALTIMORE COUNTY 218 Hunters Ridge Road 8th Election District * Case No. 91-124-A 3rd Councilmanic District Rolando B. Alegado, et ux Petitioners * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section V.B.6.b. 1 of the Comprehensive Manual Development Policy (C.M.D.P.), pursuant to Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a windowed wall to property line setback of 7 ft. in lieu of the required 15 ft. and to amend the last amended Final Development Plan of Section 1 of Hunt Ridge, as more particularly described on Petitioners' Exhibit No.

The Petitioners filed a Petition for a Residential Variance but, upon review of the documents submitted, the Zoning Commissioner requested that a hearing be held on this matter taking place on January 8, 1991 at 9:30

The Petitioner, Dr. Rolando B. Alegado, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 218 Hunters Ridge Road, consists of .32 acres +/-, zoned D.R.2 and is currently improved with a two story single family dwelling and attached garage.

The Petitioner testified that he is desirous of constructing a one story patio enclosure attached to the existing dwelling, as indicated on Petitioners' Exhibit No. 1.

PETITION FOR RESIDENTIAL VARIANCE

the description and plat attached hereto and made a part hereof, petition for a Variance from Section _

amended Final Development Plan of Hunt Ridge.

2. CPACKED BRICK FLOOPING

Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

petition be posted on the property on or before the 10 day of oct. 19 50

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of ____

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

CODER RECEIVED FOR FILING

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

1. STAGNANT WATER

Contract Purchaser:

(Type or Print Name)

Attorney for Petitioner:

setback of 7 ft. in lieu of the required 15 ft. and to amend the last

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following resson:

3. SINKING PATIO, WHTER COMING INSIDE THE MUSE

I, or we; agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing

COMPARED by the Zoning Commissioner of Baltimore County, this 18 day of 545, 19 90, that the subject matter of this

watter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County

this Petition.

(Type or Print Name)

Lobrent Fapran

Legal Owner(s):

of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of

The underwigned, legal owner(s) of the property situate in Baltimore County and which is described in

V.B.6.b. of the C.M.D.P. To permit a windowed wall to property line Mar NNBBELTE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-124-A

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal

owner(s) of the property which is the subject of

ROCANDO B. ALEGADO

TSABEL Q. MEGADO

Laber of agent

218 HUNTERS RUGE RD

Thusiman, and 21093
City/State/Zip Code

purchaser or representative to be contacted.

ZONING CONTISSIONER OF BALTIMURE COUNTY

WICHUFILMED

Name, address and phone number of legal owner, contract

The Petitioner further testified that the current patio is broken and has caused rain water to seep into his living room. He testified that the roof pitch and proposed siding will match those of the existing dwelling

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the

THEREFORE, IT IS OPPERED by the Zoning Commissioner for Baltimore EMULA 1991 that the Petition for a Zoning Variance from Section / V.B.6.b.1 of the Comprehensive Manual Development Policy (C.M.D.P.), pursuant to Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a windowed wall to property line setback of 7 ft. in lieu of the required 15 ft. and to amend the last amended Final Development Plan of Section 1 of Hunt Ridge, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief

1. The Petitioners may apply for their building

and that the addition will not be heated.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Peti-

relief requested should be granted.

granted herein:

2. The Petitioners shall not allow or cause the subject addition to be converted to a second

3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

V for Baltimore County

Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

dwelling unit and/or apartment.

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE 91-124-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 218 /fungers NADGE RD Thorower ing, and. 21093

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) SEE FRONT PRGE

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a

reposting and advertising fee and may be required to provide additional information.

Affant (Handwritten Signature) POLANDO B. ALEGADO

AFFIANT (Frinted Name)

AFFIANT (Handwritten Signature) ISABEL A ALEGADO AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made cath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

BEGINNING AT A POINT ON THE SWSIDE OF HUNTERS RIDGE RD. 60' RW AT A DISTANCE OF 500' SE OF THE GLOF OAK TREE CT. BEING LOT & 4 SECTION G IN THE SUBDIVISION OF

HUNTERS RIDGE ALSO ENOUN AS 218 HUNTERS RIDGE RD INTHE STHELECTION DISTRICT 3RD COUNCIL DITTRICT.

I am responsible for the accuracy of this description so exittenly Balts C.

Zoning Commisioner
County Office Building
111 West Chesapeake Avenue

HF100114 PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL)

080 -POSTING SIGNS / ADVERTISING 1 X TOTAL: \$60.00 LAST NAME OF OWNER: ALEGADO

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 28, 1991

Dr. and Mrs. Rolando B. Alegado 218 Hunters Ridge Road Timonium, Maryland 21093

> RE: Petition for Zoning Variance Case No. 91-124-A

Dear Dr. and Mrs. Alegado:

JRH:mmn

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Zoning Commissioner

cc: Peoples Counsel

CERTIFICATE OF POSTING

rict $\mathcal{E}\mathcal{T}/r$	Date of Posting 10 - 3 - 90
ed for: Mariance	
tioner: Prande B	alegador et m
ition of property: 511/5 of h	funtineride x Road 500 SF M
als Tree Court	218 Hunter Ridas Roal
ition of Signer Con Bront.	of 215 Hunter Ridge Road
·	<i>y</i>
arks:	
ed by 10 Water	Date of return: 10 - 5 - 90
Signature	

CERTIFICATE OF POSTING ONING DEPARTMENT OF BALTIMORE COUNTY

marytana	
Posted for: Narrance	Date of Posting Sucumber 17, 1991
Petitioner Petrodo 2 (1)	ad- et nd
Location of property Sw/5 Hunters R. Event 218 Hunters R. Location of Signe: In front of 2,	edge Road, Too' SE of Cak True Edge Poad & Hunters Ridge Road
Remarks:	
Posted by <u>L.J. Grata</u> Signature Signature	Date of return: Desember 20, 1990

more, CO

Account: R-001-6150

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property Identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows: Petition for Zoning Variance Case number: 91-124-A SW/S of Huntersridge Roa 500' SE of Oak Tree Court 218 Huntersridge Road 8th Election District 3rd Councilmanic Petitioner(s): Rolando B. Alegado, et ux Hearing Date: Tuesday, Jan. 8, 1991 at 9:30 a.m.

Variance: to permit a windowed wall to property line setback of 7 ft. in lieu of the required 15 ft. and to amend the last amended Final Development Plan of Hunt Ridge.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12.20, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on 12 - 13, 19

TOWSON TIMES,

5. Zefe Orlina Publisher

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21201 (301) 887-3353 J. Robert Haines

DATE: 12-26-90

Mr. & Mrs. Rolando B. Alegado 218 Hunters Ridge Road Timonium, Maryland 21093

Petition for Zoning Variance Case Number: 91-124-A SW/S of Huntersridge Road, 500' SE of Oak Tree Court 218 Hunters Ridge Road 8th Election District - 3rd Councilmanic Petitioner(s): Rolando B. Alegado, et ux

Dear Petitioner(s):

Please be advised that \$ 188.56 is due for advertising and posting of the above captioned property THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL

NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZUNTUG COMMISSIONER BALTIMORE COUNTY, MARYLAND

Towson, MD 21204

Baltimore County Zening Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

September 25, 1990

Mr. & Mrs. Rolando B. Alegado 218 Hunters Ridge Road Timonium, Maryland 21093

Re: CASE NUMBER: 91-124-A

ITEM NUMBER: 114



Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

LOCATION: SW/S Hunters Ridge Road, 500' SE of Oak Treet Court

218 Hunters Ridge Road

1) Your property will be posted on or before October 10, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is October 25, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD. THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > Very truly yours,

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Dennis F. Rasmussen

November 27, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance Case Number: 91-124-A SW/S of Huntersridge Road, 500' SE of Oak Tree Court 218 Hunters Ridge Road 8th Election District - 3rd Councilmanic Petitioner(s): Rolando B. Alegado, et ux HEARING: TUESDAY, JANUARY 8, 1991 at 9:30 a.m.

Variance to permit a windowed wall to property line setback of 7 ft. in lieu of the required 15 ft. and to amend the last amended Final Development Plan of Hunt Ridge.

J. Rebert House

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

January 3, 1991

Mr. & Mrs. Rocando B. Alegado 218 Hunters Ridge Road Timonium, MD 21093

111 West Chesapeake Avenue

Towson, MD 2120-i

RE: Item No. 114, Case No. 91-124-A Petitioner: Rocando B. Alegado, et ux Petition for Residential Variance

887-3353

Dear Mr. & Mrs. Alegado:

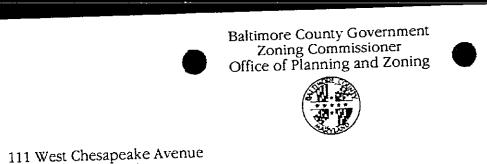
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures



887-3353

Your petition has been received and accepted for filing this 18th day of September, 1990.

ZONING COMMISSIONER

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: October 2, 1990 J. Robert Haines

Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Rolando B. Alegado, Item No. 114

The Petitioner requests a Variance to permit a window to property line setback of 7 ft. in lieu of the required 15 ft. and to amend the last amended final development plan of Hunt Ridge.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm ITEM114/ZAC1

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

November 28, 1990

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number,

Very truly yours, Traffic Engineer Associate II

received

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF

OCTOBER 9, 1990

PERMITS & LICENSES C.E.B

ZONING ITEM #: 114 PROPERTY OWNER: Rolando B. Alegado, et ux LOCATION: SW/S Hunters Ridge Road, 500' SE of Oak Tree Court (#218 Hunters Ridge Road) ELECTION DISTRICT: 8th COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

FOLLOWING: () PROPOSED SITE PLAN DOES, DOES NOT. COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE

HANDICAPPED () RAMPS (degree slope) () PARKING LOCATION () CURB CUTS () NUMBER PARKING SPACES () SIGNAGE

() BUILDING ACCESS () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN.

SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE NOT. REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER -

SUBJECT:

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS CNLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke Chief

OCTOBER 9, 1990



J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

ROLANDO B. ALEGADO RE: Property Owner:

#218 HUNTERS RIDGE ROAD Location: Zoning Agenda: OCTOBER 8, 1990 Item No.: *114

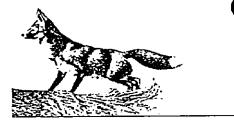
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Fire Prevention Bureau Special Inspection Division

JK/KEK



Huntridge Community Association Chartered

September 14, 1990

Mr. Rolando Alegado 218 Hunters Ridge Road Timonium, Maryland 21093

Dear Mr. Alegado,

The Community Association has considered and approved the plans which you submitted.

Thank you for your cooperation.

CASE NUMBER: 91-124-A

WFB/keb

91-124-A

PETITIONER'S EXHIBIT 1

PATIO ENCLOSURE PERMISSION FORM I/We the owner(s) of 7 OAK TREE COUNT

218 Hunters Ridge Road, Timonium, Maryland 21093, permission to enclose their existing patio. The proposed enclosure will not in

date: 9-17-90

anyway disturb our property.

Property Owners

, do hereby grant the owner(s) of

